

### **REMARKS**

Claim 24 is amended to recite retrieving purchased data. Support is found in Applicant's Specification page 12, lines 1-3. Claim 24 is also amended to make clear that what is executed are instructions on the processor. Because instructions is a plural noun, the verbs determines, retrieves, creates, etc. are made plural to be grammatically correct. No new matter is entered.

Claim 24 is rejected under 35 U.S.C. 112, first paragraph. Applicant has amended claim 24 to remove recitation of purchases lifestyle view data.

Applicant's Specification does teach creating a vision of core competencies as claimed in claim 24, on page 14, lines 12-22 because in the moment point of contact constraints of step 12 includes an access device page 8, lines 4-7. The profiled past is taught on page 13, line 10. Lifestyle view data is taught as part of step 14 on page 12, lines 1-5. Current actions is taught on page 13, line 11.

Applicant maintains that page 12, lines 1-5 adequately discloses that the retrieved purchased data includes data which is grouped or keyed to presenting a lifestyle or lifestage view. As further evidence, FIG. 1 clearly depicts element 14 the profiled past as including purchased data which includes lifestyle/stage.

Regarding location indication in claims 24 and 27, Applicant's Specification clearly teaches on page 9, lines 18-

19, that the user device may include a real time GPS receiver. The user device of step 12 is taught on page 8, lines 1-7 as cell phone, kiosk, personal digital assistant such as a palm top device, a laptop computer, a desktop computer, or a computer terminal.

For the reasons and amendment above, claim 24 is allowable under 35 U.S.C. 112 first paragraph.

Claim 24 is rejected under 35 U.S.C. 112 second paragraph as indefinite. However, claim 24 is amended above to make clear and definite what is executed, thus overcoming the rejection under 35 U.S.C. 112 second paragraph.

Claims 24-30 are rejected under 35 U.S.C. 103(a) as unpatentable over Roberts (U.S. 6,101,486) in view of Lee (U.S. 6,829,475). Applicant respectfully disagrees. Claim 24 specifically requires retrieving purchased lifestyle view data, specifically for said user. The Examiner correctly states that Roberts fails to teach purchasing lifestyle view data of any kind from a firm. However, the Examiner takes official notice that it is old and well known to acquire user's profile (lifestyle view) from a third party, and cites Nascenzi (U.S. 6,879,960) col. 1, lines 20-57, col. 6, line 8 to col. 7, line 11 for support of the official notice. Applicant disagrees that Nascenzi describes her claim 24 requirement of retrieving purchased lifestyle view data specifically for said user.

The data described by Nascenzi is not specific for a particular user. Nascenzi describes geographic buying preferences. Nascenzi also describes neighborhood type and

block group (the smallest geographic area averaging about 300 households) data from a U.S. Census database. But there is no description in Nascenzi of Applicant's recited lifestyle view data and no description in Nascenzi of Applicant's lifestyle view data specifically for said user.

Furthermore, Nascenzi was filed a mere six weeks before the present application and, therefore, is not indicative that it is old and well known (at the time of Applicant's filing) to make any acquisition, much less lifestyle view data for a specific user, which as argued above, Nascenzi does not describe.

Furthermore, Applicant disagrees that Roberts describes in col. 6 to col. 7, line 10, creating a vision of core competencies of said supplier based on said access device, and said profiled past, and said lifestyle view data, and said current actions. Applicant cannot find creating a vision of core competencies anywhere in Roberts.

Nor can Applicant find any description of merging together and optimizing this vision with the supplier's channel awareness. Applicant respectfully requests the Examiner to explain in more detail where these are described.

For all of the above reasons, claim 24 is allowable over the combination of Roberts with Lee and such allowance is respectfully requested. Claims 25-30 depend upon allowable claim 24 and are also allowable.

The Application is deemed in condition for allowance and such action by the Examiner is urged. Should differences remain, however, which do not place one/more of the remaining claims in condition for allowance, the Examiner is requested to phone the undersigned at the number provided below for the purpose of providing constructive assistance and suggestions in accordance with M.P.E.P. Sections 707, 707.07(d) and 707.07(j) in order that allowable claims can be presented, thereby placing the application in condition for allowance without further proceedings being necessary.

Respectfully submitted,

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